

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In Re Terrorist Attacks on September 11, 2001

Case No. 03-md-1570 (GBD)(SN)

Federal Insurance Company, et al.,

Case No. 03-cv-6978 (GBD)(SN)

Creditors,

v.

The Taliban, et al.,

Debtors,

Federal Reserve Bank of New York,

Garnishee.

**NOTICE OF MOTION TO JOIN THE TURNOVER PROCEEDINGS AND
FOR PARTIAL TURNOVER OF ASSETS FROM GARNISHEE
FEDERAL RESERVE BANK OF NEW YORK**

PLEASE TAKE NOTICE, that upon the attached Memorandum of Law, Declaration of Sean P. Carter and Exhibits thereto, and Expert Declaration of Alex B. Zerden, the undersigned attorneys for Movants/Creditors *Federal Insurance Company, et al.* (“the *Federal Insurance Creditors*”) shall move this Court, before The Honorable George B. Daniels, United States District Judge for the Southern District of New York, pursuant to Federal Rule of Civil Procedure 69(a), N.Y. C.P.L.R. §§ 5225(b), 5227, and 5239, and Section 201 of the Terrorism Risk of Insurance Act of 2002 (“TRIA”), Pub. L. No. 107-297, 116 Stat. 2322, to join the turnover proceedings already initiated by plaintiffs in *Havlish, et al. v. The Taliban, et al.*, Case No. 1:03-cv-09848 (GBD) (SN), and *John Does 1 Through 7 v. The Taliban, et al.*, Misc. Action

No. 1:20-mc-00740 (GBD) (SN),¹ and for an Order compelling the Federal Reserve Bank of New York to turn over certain assets that at all times were material to this Motion were in its possession, and in which the Judgment Defendant Taliban had and has an interest in property, including through its agency and instrumentality Da Afghanistan Bank, and for such other and further relief as the Court deems appropriate. For the reasons set forth at length in the accompanying Memorandum of Law, a Court Order directing the turnover of certain funds to the *Federal Insurance* Creditors is appropriate in this case at this time. As also discussed in the accompanying Memorandum of Law, funds turned over to the *Federal Insurance* Creditors pursuant to this Motion will be distributed in accordance with the Framework Agreement described in the letter filed at ECF No. 7790, thereby providing broad relief to the 9/11 community.

Dated: April 29, 2022

Respectfully submitted,

COZEN O'CONNOR

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¹ See ECF No. 7763 (*Havlish* Creditors' Notice of Motion for Partial Turnover); ECF No. 7764 (*Havlish* Creditors' Memorandum of Law); ECF No. 7765 (Declaration in Support of Motion for Partial Turnover); ECF No. 7766 (Expert Declaration of Alex B Zerden); ECF No. 7767 (*Doe* Creditors' Notice of Motion for Partial Turnover); ECF No. 7769 (*Doe* Creditors' Memorandum of Law); ECF No. 7770 (Declaration in Support of Motion for Partial Turnover); ECF No. 7771 (Expert Declaration of Alex B Zerden).